

**From:** [Guerry, William M.](#)  
**To:** [HertzWu, Sara](#); [Terriquez, Joe](#); [Hensley, Dave](#)  
**Cc:** [Bill Tyndall](#); [Mike Major](#)  
**Subject:** Big Ox Information Request and NDEQ Settlement  
**Date:** Tuesday, July 31, 2018 5:22:07 PM  
**Attachments:** [Big Ox Consent Order.pdf](#)  
[ATT00001.txt](#)

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Sara, David and Joe

On behalf of BOE, thanks for our constructive call on July 23rd.

Per our discussion— enclosed is the final signed-settlement between NDEQ and BOE. This settlement ensures that BOE fully remediated the prior releases of its partially-processed waste waters —that occurred during the exceptional foaming-event in June.

The NDEQ settlement also ensures that BOE will conduct and submit a “root cause” analysis to NDEQ by August 15th —and promptly adopt by the end of August— additional precautions and measure—that will mitigate and address the potential risks of any potential release from BOE’s operations.

Tomorrow, I will send you BOE’s additional responses to the EPA information Request —that follow up to BOE’s initial response from last week to EPA’s three priority questions.

BOE would like to set up another call with you and your team —once you have had a chance to review the attached settlement and BOE’s new response.

Best, Bill

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